

REMARKS

Further to the Interview with the Examiner on September 8, 2005, Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-8, 10-17, 34, 35 and 37 are pending in the application.

In response to the Examiner's suggestion, Claims 18-33 have been canceled.

Claim Rejection under 35 U.S.C. § 102

Claims 1-8, 10-17, 34 and 35 stand rejected under 35 U.S.C. § 102 as being anticipated by Edson (U.S. Patent No. 6,526,581). Applicant traverses.

The Edson Reference

Edson discloses a gateway providing an open software interface to control in-home communications. The open software interface of the gateway also enables in-home devices of various divergent technologies to selectively access external communication features. In particular, the gateway of Edson comprises interfaces to a plurality of external communication media, a router coupled to the various interfaces and a controller. See: Figures 1 and 2; col. 3, lines 46-59; col. 4, lines 45-51; and col. 7, lines 44-57. There are also additional interfaces disposed at the customer premise devices. The additional interfaces enable access by different types of customer premise devices. All of the device specific interfaces implement a standard software referred to as a common application programming interface, to enable communication over the media and accessing of in-home and/or external communication services through the gateway. See:

1 Figures 1 and 3; col. 7, line 58 through col. 8, line 5; and col. 11, line 41 through col. 12,  
2 line 37.

3 The open software interface of Edson is appreciated by those skilled in the art to  
4 require that all devices send and receive, via the device specific interfaces, information in  
5 a common format so that it can be understood by all the devices. In order for various  
6 divergent technologies to communicate, according to Edson, a device specific interface  
7 must be added to all of the devices communicating through the gateway. Specifically,  
8 Edson discloses "Each device interface provide physical access to the [in-home  
9 communication] media as well as function interfacing, to enable operation with the  
10 particular type of customer premises device." See the abstract and Figures 1 and 4. Thus,  
11 each device in Edson must be modified to include or be connected to a separate device  
12 specific interface.

13  
14 Claims 1-8 and 10

15 Claim 1, as amended, recites "a general-purpose computer ... to send user  
16 interface information in a remote control specific format to the remote controller." Edson  
17 does not teach or suggest that a general-purpose computer sends user interface  
18 information in a remote control specific format to the remote controller. Instead, Edson  
19 discloses that the PC provides a user interface to allow monitoring and control of other  
20 devices on the network and a terminal for the user interface to the gateway. Accordingly,  
21 those skilled in the art appreciated that the PC in Edson provides the user interface  
22 directly to the user. Furthermore, the other interfaces disclosed by Edson are  
23 communication interfaces providing for protocol and physical layer communication  
24  
25

1 functions. Thus, the interfaces of Edson are not equivalent to "sending user interface  
2 information."

3 Claim 1, as amended, also recites "a general-purpose computer ... to ... receive  
4 control data in a remote controller specific format from the remote controller in response  
5 to the user interface information and an input from a user, convert the received control  
6 data into control commands in a controlled device specific format, and send the control  
7 commands to the controlled device." Edson does not teach or suggest that a general-  
8 purpose computer receives control data in a remote controller specific format and  
9 converts it into control commands in a controlled device specific format that is sent to the  
10 controlled device. Instead, Edson discloses that the gateway provides an open software  
11 interface to control in-home and external communications. The open software interface  
12 for communications necessarily requires that all devices send and receive, via device  
13 specific interfaces attached to each device, information in a common format so that it can  
14 be understood by all the devices.

15 Thus, Edson does not disclose the claim limitations that the general-purpose  
16 computer sends user interface information in a remote control specific format to the  
17 remote controller. Edson also does not disclose the limitations that the computer receives  
18 control data in a remote controller specific format from the remote controller in  
19 response to the user-interface information and a user input. Edson also does not disclose  
20 the limitations that the computer converts the received control data into control  
21 commands in a controlled device specific format.

22 For the above-advanced reasons, Applicant respectfully submits that Claim 1 is  
23 patentable over Edson. Furthermore, Claims 2-8 and 10 are dependent upon Claim 1 and  
24 incorporate all the limitations therein. Thus, Claims 2-8 and 10 are also patentable over  
25

1 Edson for the above-advanced reasons, as well as the additional elements they recite.  
2 Accordingly, Applicant respectfully requests that the §102(e) rejection of Claim 1-8 and  
3 20 be withdrawn and Claim 1-8 and 10 be allowed.  
4

5 Claims 11-17

6 Claim 11, as amended, recites that "the facilitator provides UI information that is  
7 used by the first controlled device to provide a user interface for entering control data for  
8 controlling the second controlled device to perform an action." Edson does not teach or  
9 suggest that a facilitator provides UI information to the first controlled device. Edson  
10 does not teach or suggest that the first device provides a user interface based on the UI  
11 information that may be used to enter control data for controlling the second controlled  
12 device. Instead, Edson discloses that the PC provides a user interface to allow  
13 monitoring and control of other devices on the network and a terminal for the user  
14 interface to the gateway. Accordingly, those skilled in the art appreciated that the PC in  
15 Edson provides the user interface directly to the user. Consequently, Edson does not  
16 disclose a facilitator that provides UI information to the first controlled device that may  
17 be used by a user to enter control data on the first controlled device for controlling the  
18 second controlled device.  
19

20 Claim 11, as amended, also recites that the facilitator "receives the control data in  
21 a first controlled device specific format in response to the UI information, and translates  
22 the control data received from the first controlled device into control commands in a  
23 second controlled device specific format that are sent to the second controlled device to  
24 effectuate the action intended by the user." Edson does not teach or suggest that a  
25 facilitator receives control data in a first controlled specific format and translates it into

1 control commands in a second controlled device specific format. Instead, Edson  
2 discloses that the gateway provides an open software interface to control in-home and  
3 external communications. The open software interface for communicating necessarily  
4 requires that all devices send and receive, via device specific interfaces attached to each  
5 device, information in a common format so that it can be understood by all the devices.

6 Thus, Edson does not disclose the claim limitations that the facilitator provides UI  
7 information to the first controlled device that is used by the first controlled device to  
8 provide a user interface. Edson also does not disclose the limitations that the facilitator  
9 receives the control data in a first controlled device specific format. Edson also does  
10 not disclose the limitations that the facilitator translates the control data received from the  
11 first controlled device into control commands in a second controlled device specific  
12 format.

13 For the above-advanced reasons, Applicant respectfully submits that Claim 11 is  
14 patentable over Edson. Furthermore, Claims 12-17 are dependent upon Claim 11 and  
15 incorporate all the limitations therein. Thus, Claims 12-17 are also patentable over Edson  
16 for the above-advanced reasons, as well as the additional elements they recite.  
17 Accordingly, Applicant respectfully requests that the §102(e) rejection of Claim 11-17 be  
18 withdrawn and Claim 11-17 be allowed.

19  
20  
21 Claims 34, 35 and 37

22 Claim 34, as amended, recites "a general-purpose computer ... to generate and  
23 send user interface information adapted to a configuration and makeup of a first device  
24 and is used for controlling a second device." Edson does not teach or suggest that any  
25 device generates and sends user interface information to any other device. Instead, the

1 user interface provided by the PC is provided directly to the user by the PC. Therefore,  
2 Edson also does not teach or suggest that the user interface information is adapted to a  
3 configuration and makeup of a first device and is used for controlling a second device.

4 Claim 34, as amended, also recites a general-purpose computer "to receive an  
5 event from the first device in response to the user interface information, and to translate  
6 the event into a command adapted to effectuate an action by the second device. Edson  
7 does not teach or suggest that the gateway or the PC receives from the first device an  
8 event that is translated into a command to control the second device. Instead, Edson  
9 discloses that the gateway provides an open software interface to control in-home and  
10 external communications. The open software interface for communications necessarily  
11 requires that all devices send and receive information in a common format. Since the  
12 open software interface requires that all devices communicate using a common format, it  
13 is clear that the gateway does not translate events from one device into commands to  
14 control another device.

15 Thus, Edson does not disclose the claim limitations that the general-purpose  
16 computer generates and sends user interface information adapted to a configuration and  
17 makeup of a first device and is used for controlling a second device. Edson also does not  
18 disclose the claim limitations that the computer receives an event from the first device in  
19 response to the user interface information and translates it into a command adapted to  
20 effectuate an action by the second device. Therefore Applicant respectfully submits that  
21 Claim 34 is patentable over Edson.  
22

23 Dependent Claims 35 and 37 are allowable by virtue of their dependency on  
24 respective base claim 34, as well as the additional elements they recite. With respect to  
25 amended Claim 35, the additional elements include that "a first set of user interface

1 information is adapted to control the plurality of devices and a second set of user  
2 interface information is specific to controlling the second device." Edson does not  
3 disclose any device that generates and sends user interface information to any other  
4 device. Consequently, the system and methods of Edson do not provide for generating  
5 and sending user interface information to a first device, such that a first set of the  
6 information is adapted to control multiple devices and a second set is specific to  
7 controlling one of the plurality of devices. Accordingly, Applicant respectfully submits  
8 that Claim 35 contains elements that are not disclosed by Edson and therefore is  
9 patentable over Edson.

10 With respect to new Claim 37, the additional elements include that "the user  
11 interface information is sent in a communication scheme specific to the first device, the  
12 event is received in the communication scheme specific to the first device, and the event  
13 is translated into a command in a communication scheme specific to the second device."  
14 Edson does not teach or suggest that the user interface information and the event in  
15 response thereto is sent and received in a communication scheme specific to the first  
16 device, or that the event is translated into a command in a communication scheme  
17 specific to the second device. Instead, Edson discloses that the gateway provides an open  
18 software interface the necessarily requires that all devices and receive information in a  
19 common format. Accordingly, Applicant respectfully submits that Claim 37 contains  
20 elements that are not disclosed by Edson and therefore is patentable over Edson.  
21

22 For the above-advanced reasons, Applicant asserts that Claims 34, 35 and 36 are  
23 patentably distinguishable over Edson. Accordingly, Applicant respectfully requests that  
24 the §102(e) rejection of Claims 34, 35 and 37 be withdrawn and Claims 34, 35 and 37 be  
25 allowed.

Examiner Interview

During the Interview with the Examiner on September 8, 2005, the Examiner requested that the present response consider U.S. Patent Application 2004/0070491 by Huang. Applicant has reviewed the reference and respectfully submits that U.S. Patent Application 2004/0070491 is not prior art for all of the subject matter contained therein. The present application was filed on July 28, 2003 as a divisional application of U.S. Patent Application 09/524,125, filed March 13, 2000. Therefore, the present application has an effective filing date of March 13, 2000. The Huang reference 2004/0070491 was filed September 19, 2003. Furthermore, it is noted that the Huang reference 2004/0070491 also claims priority to a chain of multiple continuation-in-part applications. Therefore, the Huang reference 2004/0070491 only has an earlier effect filing date for the subject matter previously disclosed by the continuation-in-part applications 09/334,584 filed June 16, 1999 by Hayes et al. and 09/121,229 filed July 223, 1998 by Johns et al. Applicant has reviewed the Hayes and Johns references and respectfully submits that the references do not teach or suggest each of the claimed elements, arranged as in the claims of the present application, expressly or inherently.

Generally, the Hayes and Johns references disclose a universal remote control to command various functions of one or more appliances. The universal remote is configurable to send command codes in the appropriate appliance specific encoding format.

Exemplary Claim 11, in contrast, recites "a facilitator ... to facilitate remote control of the second device by the first devices," wherein the facilitator "provides UI information that is used by the first controlled device to provide a user interface for entering control data for controlling the second controlled device to perform an action,



1 receives the control data in a first controlled device specific format in response to the UI  
2 information, and translates the control data received from the first controlled device into  
3 control commands in a second controlled device specific format that are sent to the  
4 second controlled device to effectuate the action intended by the user." Neither Hayes  
5 nor Johns teach or suggest a facilitator that facilitates remote control of one device by  
6 another device by translating the control data received in a format specific to the  
7 controlling device into control commands in a format specific to the controlled device.  
8 Instead, Hayes and Johns both disclose that the controller directly controls the appliance  
9 using an encoding format specific to the particular type of appliance being controlled.  
10 Furthermore, neither Hayes nor Johns disclose providing UI information to any appliance  
11 such that the appliance provides a user interface for controlling another appliance.  
12 Instead, Hayes and Johns both disclose that the user interface is presented directly to the  
13 user by the remote controller.

14 Thus, neither Hayes nor Johns disclose a facilitator communicatively coupled to a  
15 first controlled device and a second controlled device to facilitate remote control of the  
16 second device by the first device. Hayes and Johns also do not disclose that the  
17 facilitator provides UI information that is used by the first controlled device to provide a  
18 user interface for controlling the second controlled. Hayes and Johns also do not disclose  
19 that the facilitator translates the control data in a first controlled device specific format  
20 into control commands in a second controlled device specific format. Accordingly, in  
21 view of the limitations in exemplary Claim 11, Applicant respectfully asserts the present  
22 claims as amended are patentable over Huang, Hayes and Johns.  
23  
24  
25

**Conclusion**

Claims 1-8, 10-17, 34, 35 and 37 are in condition for allowance. Applicant respectfully requests prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, **the Examiner is requested to contact the undersigned attorney to resolve the issue.**

Respectfully Submitted,

Date: 10/17/05By: 

Eric J. Gash

Lee &amp; Hayes, PLLC

Reg. No. 46,274

(509) 324-9256 ext. 228